

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Martin W. Ziegler and Joyce  
Fox-Ziegler,

Plaintiffs,

v.

Case No. 16-cv-3824 (JNE/SER)  
ORDER

U.S. Department of Transportation,

Defendant.

In a Report and Recommendation dated September 18, 2018, the Honorable Steven E. Rau, United States Magistrate Judge, recommended that the Court grant the Government's Motion to Dismiss and deny Plaintiffs' Motion in Opposition. ECF No. 23. No party filed objections. Based on a de novo review of the record, the Court adopts the Report and Recommendation in its entirety. *See* 28 U.S.C. § 636(b)(1); D. Minn. LR 72.2. Therefore, IT IS ORDERED THAT:

1. Defendant's Motion to Dismiss [ECF No. 6] be GRANTED.
2. Plaintiffs' Motion in Opposition [ECF No. 19] be DENIED.
3. The case be DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 17, 2018

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge